

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 521

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO COUNTY RECORDER FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE FEES THAT MAY BE CHARGED BY A COUNTY RECORDER TO THE PARTY PROCURING HIS SERVICES AND TO CLARIFY TERMS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 31-3205, Idaho Code, be, and the same is hereby amended to read as follows:

31-3205. RECORDER'S FEES. (1) The county recorder is allowed, and may receive for his services, the following fees, to be paid him by the party procuring his services:

- (a) For recording every instrument, paper or notice, for ~~each~~ the first page \$ ~~3~~10.00
- For each additional page \$3.00
- (b) For electronic copies (as defined in subsection (2) of this section) requested on a recurring basis, for each page or image ... \$.05
- (c) For copies of any record or paper, for each page \$ 1.00
- (~~ed~~) For each certificate under seal, when required \$ 1.00
- (~~de~~) For release or assignment where more than one (1) document is released or assigned in the same instrument, for each additional release or assignment \$ 1.00
- (~~ef~~) For recording every town plat or map, for first one hundred (100) lots or less \$11.00
- And for each additional lot \$.05
- (~~fg~~) For taking acknowledgments, including seal \$ 1.00
- (~~gh~~) For recording the location notice or amended location notice, of a mining claim, or for recording and indexing each notice, for each page \$ 3.00
- (~~hi~~) For recording affidavit of labor of mining claims for one (1) mining claim \$ 4.00
- Plus an additional charge for each claim in excess of one (1) \$.50
- (~~ij~~) For filing a survey, for each page \$ 5.00
- (~~jk~~) For making a copy of a survey or highway right-of-way plat .. \$ 4.00
- (~~kl~~) For issuing marriage license, filing, recording and indexing the certificate of marriage and taking and filing affidavits required in issuance of the license \$11.00
- (~~lm~~) For administering an oath, including jurat \$ 1.00
- And certifying the same when required an additional sum of \$ 1.00
- (~~mn~~) For comparing and certifying a prepared copy of a file or record in his office, for each page \$.50
- (~~no~~) For each certificate under seal there shall be an additional fee of \$ 1.00

1 (2) Electronic copies shall include copies provided via internet
2 download, on a compact disc, zip disc, floppy disc, or other electronic
3 means. The county recorder shall provide electronic copies if the record
4 is maintained in electronic form and if the person specifically requests an
5 electronic copy.

6 (3) For duplication of recorded documents in paper, microfilm or
7 microfiche format requested on a recurring basis in excess of one hundred
8 (100) pages ~~or continuous copy requests for duplication of records using~~
9 ~~compact disc, zip disc, floppy disc or other electronic means,~~ the fee shall
10 be negotiated between the county recorder and the purchaser of records.
11 The fee shall not exceed the costs to the county recorder for the retrieval
12 and duplication of the record. These negotiated fees shall be recommended
13 by the county recorder and approved by the board of county commissioners.
14 Any existing agreements for duplication of ~~records~~ paper, microfilm or
15 microfiche documents in excess of one hundred (100) pages are hereby
16 ratified and approved. Any negotiated fees shall remain in effect until such
17 time as either party requests a review of the fee.

18 (34) All instruments delivered to the county recorder for record
19 shall be recorded rather than filed with the exception of plats, surveys,
20 cornerstone markers and instruments under the Uniform Commercial Code.

21 (45) For all other services as recorder, not enumerated herein, the fee
22 fixed in the statute requiring the service or the same fee as allowed the
23 clerk of the district court for like service.

24 (56) A page shall not exceed fourteen (14) inches in length nor eight
25 and one-half (8 1/2) inches in width. Each page shall be typewritten or be
26 in legible writing. The recording fee to be charged for maps, sketches,
27 drawings or other instruments except plats larger than the size permitted
28 above for a page shall be two cents (2¢) per square inch.